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Chairperson: Ms. Gittens-Joseph ..... (Trinidad and Tobago)

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The meeting was called to order at 10.15 a.m.

Agenda item 112: Elimination of racism and racial discrimination (*continued*) (A/55/18 (Suppl. No. 18) and Add.1, A/55/203, A/55/266, A/55/285, A/55/304, A/55/307, A/55/459 and A/C.3/55/L.20)

Agenda item 113: Right of peoples to self-determination (*continued*) (A/55/176 and Add. 1, A/55/334)

1. **Mr. Giulietti** (Observer for Switzerland) expressed satisfaction at what appeared to be the emergence of a consensus on the need to combat racism. All States that had not yet done so should ratify the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant international instruments.

2. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance would afford States an unparalleled opportunity of reaffirming their commitment to a multicultural, free, democratic community with shared values. In that connection, there were a number of essential points that should be emphasized. The first had to do with the contribution of the Internet to the effort to eliminate racism, owing primarily to its world-wide scope and the speed of modern communications. It was essential to develop codes of conduct, in view of the fact that, increasingly, some sites were being used to disseminate racist propaganda. The second point had to do with criminal law reform. In Switzerland, racist acts were offences that automatically entailed prosecution; it was not necessary for a complaint to be lodged. Consequently, there need be no interaction between the victim and the police, magistrates could be sensitized to racist crimes, and the authorities had an incentive to be vigilant. The third point had to do with the essential contribution that could be made, either at the national level or in the framework of international cooperation, by agencies expressly mandated to combat racism. Such agencies played a watchdog role, issuing notices and advice for the use of the authorities and helping to sensitize public opinion to the problem. Accordingly, it would be desirable to establish them, or, where they already existed, to enhance their effectiveness. The fourth point, which was related to the third, had to do with local or regional consultant services that had the power to intervene and could, where appropriate, open an enquiry or suggest mediation. They could be used to establish structures through which law enforcement services, specialized bodies and vulnerable minority groups could exchange information.

3. The establishment of mechanisms conducive to dialogue with or between national, ethnic, linguistic or religious minorities was something that should be encouraged. Switzerland, with its long experience in the field of peaceful coexistence among various linguistic and religious communities, had concluded that such an approach tended to have a liberating and healing effect on civil society, enabling it to develop new foundations on which to base its activities.

4. **Mr. Kumalo** (South Africa), speaking on behalf of the States Members of the Southern African Development Community (SADC), said that legal provisions alone did not provide adequate solutions in the struggle against racism, racial discrimination, xenophobia and other related intolerance; the redistribution of social, economic and cultural power was also essential, as was the promotion of social justice, equality of opportunity and participation by all in public life. The region's ethnic, religious, cultural and linguistic diversity was an asset, and the SADC Member States were actively striving to create jobs, to extend ownership of the region's wealth to its citizens, to deliver education and housing services, and to speed up efforts to improve health.

5. SADC was honoured that the international community had selected South Africa as the venue for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and requested Member States to provide the resources needed for the event. It was to be hoped that the Conference would produce concrete goals which would inspire hope in the lives of victims of racism and xenophobia. States should become parties to the international human rights instruments and implement them faithfully in order to make racial equality a reality.

6. With respect to agenda item 113, it was worth reiterating that the right to self-determination was a fundamental human right which peoples under colonial or alien domination should be free to exercise. It was incumbent upon all Member States to discharge their obligations under the Charter of the United Nations, the resolutions of the General Assembly and the Security Council, international humanitarian law and all international instruments. SADC deplored the outbreak of violence that had recently occurred following a visit by the leader of the Likud Party to an Islamic holy place. It

called upon the Government of Israel to exercise restraint and avoid the disproportionate use of force to quell the violence. The agreement reached by the parties at the Sharm al-Sheikh Summit should help defuse tensions and create the conditions necessary for the resumption of the Middle East peace process.

7. **Mr. Al-Qahtani** (United Arab Emirates) said that it was incumbent upon all Governments and peoples to combat racial discrimination by all means at their disposal, including the enactment of legislation, the launching of investigations, the dissemination of information, education and so on. The Government of Israel was not fulfilling its obligations in that connection, inasmuch as ever since the founding of the State of Israel in 1948, it had systematically practised flagrant racial discrimination against the Palestinians. A recent terrible illustration, one among many, had been the deliberate killing of a 12-year-old boy by Israeli soldiers during a violent clash with Palestinian demonstrators. The boy had been attempting only to protect himself, as had been apparent from the television coverage of the incident. In view of the increasingly serious situation in Palestine, the international community must abandon its double standard and intervene to compel Israel to honour its obligations as a Member of the United Nations, and to allow the Palestinian people to exercise their right to self-determination and establish a State.

8. **Ms. Frankel** (Israel) said that the year 2000 had marked the end of a century which had witnessed appalling acts of racism and religious hatred. Evidently the lessons of the Holocaust had not yet been learned, for each passing day brought further victims of xenophobia, racial discrimination, intolerance and anti-Semitism. Another legacy of the twentieth century had been the development of new and more rapid means of transport, which had ushered in an era of great human movement, bringing people into contact with others who were culturally very different from themselves. At the same time, new information technologies, notably the Internet, kept the international community instantaneously informed about acts of racism, and could thus play a beneficial role by inculcating respect for different cultures, especially among young people. The Internet must be used to disseminate educational programmes, but it was important to make sure that it was not used for purposes of racist propaganda. Preparatory meetings for the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance should deal with such issues.

9. In response to the statement made by the Observer for Palestine with reference to agenda item 110 (Promotion and protection of the rights of children), she would say only that 99 per cent of the Palestinians in the occupied territories lived under the rule of the Palestinian Authority, and, consequently, any complaints should be addressed to that body. Israel wanted nothing more than to achieve a just and lasting peace with its Palestinian neighbours, as had been reflected in the declaration issued at the conclusion of the Sharm al-Sheikh Summit.

10. **Mr. Powles** (New Zealand) said that New Zealand was committed to the elimination of racism and racial discrimination in all its forms, and to the promotion of racial harmony both domestically and internationally. Accordingly, his delegation fully supported the objectives of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and would welcome a programme of action that was forward-looking and action-oriented, inasmuch as the victims of racial discrimination needed, not words, but action.

11. Priority issues at the Conference should include human rights education, the dissemination of "best practices" in combating racism and racial discrimination, promotion of the implementation of existing international instruments, the situation of indigenous people, minorities, women and children, and new and contemporary forms of racism and racial discrimination. The Conference should also recognize the importance of partnership between civil society and Governments, as only through partnership and an inclusive approach at all levels would it be possible to enlist as many actors as possible in the fight against racism and racial discrimination. Consequently, the modalities adopted for the Conference should be as interactive and inclusive as possible. In that context, it was particularly disappointing that New Zealand and Australia had been excluded from the regional preparatory meeting for the Conference for countries from the Asia-Pacific region, to be held in Tehran in February 2001. Japan had expressed support for their participation, through its representative at the Economic and Social Commission for Asia and the Pacific, and it was to be hoped that the matter would be quickly resolved. It had been the clear intent of General Assembly resolution 52/111 that regional preparatory meetings should be organized along United Nations regional commission lines.

12. **Mr. Ingólfsson** (Iceland) said that his delegation supported the work of the Special Rapporteur on contemporary forms of racism, racial discrimination,

xenophobia and related intolerance, and encouraged all Governments to take appropriate measures to eradicate all forms of racism and racial discrimination, including misuse of the Internet. Any use of the Internet to promote racism or incite racial hatred and violence was to be strongly condemned. Consequently, his delegation welcomed the study undertaken by the United Nations High Commissioner for Human Rights on the promotion of international cooperation in that area and on the use of the Internet in the struggle against racism and xenophobia and in the promotion of human rights education.

13. In view of the tremendous influence exerted by the mass media, it was important to sensitize them to the question of racism and encourage them to adopt positive initiatives and display a sense of responsibility. In addition, the public should be educated to be more fully aware of the nature of contemporary media and their possible adverse influence.

14. The General Assembly had declared that all forms of racism and racial discrimination, including ethnic cleansing, were among the most serious violations of human rights and must be combated by all available means. The current rise of racist and xenophobic idea in certain political circles was alarming. Every possible assistance should be given to victims of racist acts. Accordingly, his delegation welcomed the decision of the General Assembly to hold the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in South Africa in 2001.

15. The Council of Europe would continue to play a key role in combating racism, xenophobia, anti-Semitism, Islamophobia and other forms of intolerance in Europe. The European Conference against Racism, held in preparation for the World Conference, had just been concluded under the auspices of the Council in Strasbourg. The Member States had adopted a political declaration emphasizing that Europe was a multicultural community with shared values. They had committed themselves, not only to take a number of measures against racism, but also to monitor the implementation of those measures. In addition, they had declared that they were conscious of and alarmed at the dangers of indifference to manifestations of racism.

16. During the Millennium Summit, the High Commissioner for Human Rights had encouraged Heads of States and Governments to sign a declaration entitled "Tolerance and Diversity: A Vision for the 21st Century" which stated that the World Conference should adopt a declaration and a plan of action. The Prime Minister of Iceland had signed the declaration.

17. The engagement of non-governmental organizations was most important in combating racism, racial discrimination, xenophobia and intolerance. In Iceland, for example, the Icelandic Red Cross had been playing a prominent role in receiving refugees and facilitating their integration into the country's social, cultural, political and economic life. Immigration had been relatively low until recent years, and foreigners accounted for only four per cent of Iceland's population. A comprehensive survey had recently been conducted among the immigrant population in order to facilitate policy-making in that connection, in line with a recommendation by the European Commission against Racism and Intolerance.

18. In Reykjavik there was a cultural centre for foreigners to facilitate relations between them and the local population, and to help them keep their own cultural heritage and language. A similar centre outside the capital would shortly be opened, in cooperation with the local authorities and the Icelandic Red Cross. All refugees coming to Iceland were assigned an adoptive family, and the system had proved very successful in integrating refugees into Icelandic society. Relations between people should never be underestimated as a means of preventing racism and racial discrimination.

19. **Ms. De Armas García** (Cuba) said that, with reference to agenda item 113, the right of States to exercise national sovereignty, and the right of peoples to exercise self-determination without foreign intervention or interference, were the keystone, not only of the legal order that had been constructed after 1945, but also of the United Nations system and of contemporary international law.

20. The right of peoples to exercise self-determination was a sine qua non of the exercise of other fundamental rights. Under conditions of foreign domination and occupation, respect for human rights must be meaningless. Accordingly, her delegation wished to reaffirm its unreserved solidarity with the Palestinian people in its just struggle for the creation of an independent, sovereign State with East Jerusalem as its capital, and for the restitution of all the occupied Arab territories.

21. The struggle of peoples for their right to self-determination remained valid in the contemporary world situation, not only because there were still 17 territories still under colonial rule, but also because new threats had

arisen that were no less perilous, especially to the peoples of developing countries. Those threats stemmed from a new policy based on force and domination, from legally groundless theories of a so-called "right of humanitarian intervention", and from the intention of the powerful to subject developing peoples to alien models of development and political organization.

22. Consequently, developing countries were confronted with a fateful decision, namely, whether or not to accept the prospect of finding, at some future time, that they had become the target of intervention by the handful of Powers with a monopoly of the necessary economic and military resources. In the view of the Government of Cuba, so-called "humanitarian intervention" constituted a violation of the Charter of the United Nations and international law, as well as a flagrant violation of the right of peoples to self-determination.

23. The maintenance of peace rested on respect for nations, their territorial integrity, their diversity, and the plurality of political systems, which, so far from bending to force or merging into uniformity as a result of irresistible globalization, claimed their rightful place within the United Nations system. The reaffirmation of the right of peoples to self-determination assumed particular importance in a unipolar world order marked by the desire of one superpower to impose an economic, political and military dictatorship through the dissemination of a single economic and political model, by the supremacy of a small group of countries armed with nuclear weapons, and by the manipulation of human rights for political ends.

24. The Government of Cuba continued to demand the return of the territory of the United States naval base at Guantánamo, the usurpation of which, against the will of the Cuban people, seriously jeopardized Cuba's independence and constituted a flagrant violation of the Cuban people's right to self-determination.

25. Consideration of the report of the Special Rapporteur on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination lay at the heart of the Committee's discussion of agenda item 113. It was clear from that report that mercenary activities had been increasing for some time, and that they were assuming new and dangerous forms which threatened human rights and the right of peoples to exercise self-determination. Even in peacetime, mercenaries were used to impede the exercise of a people's right to self-determination, ruin countries' infrastructure, and endanger the lives, safety and fundamental rights of their inhabitants by acts which, in many cases, constituted not only mercenary activities but terrorism as well.

26. Her delegation appreciated the in-depth investigation conducted by the Special Rapporteur on the question of the use of mercenaries and the new forms that contemporary mercenary activities were assuming, especially in cases where the unlawful acts in question were the work of individuals who, in exchange for remuneration, were serving a foreign Power against their own country of origin.

27. Like the Special Rapporteur, her delegation considered that Member States were bound not to allow their territories to be used to recruit or train mercenaries or to finance mercenary operations in other countries. It also agreed with the Special Rapporteur that States were under the obligation to prohibit, prosecute and punish mercenaries of all categories, and that perpetrators or masterminds of mercenary attacks who had sought refuge in the territory of a country other than the affected country should be investigated, tried and sentenced.

28. For nearly 40 years, Cuba had been the target of mercenary activities mounted and financed with impunity from the territory of the United States of America. The Government vigorously opposed the continuation of practices that contravened essential principles of international law and the Charter of the United Nations. It firmly supported the work and mandate of the Special Rapporteur, and intended to cooperate with him even more closely, as his visit to Cuba in September 1999 had attested. The General Assembly should extend the mandate of the Special Rapporteur to enable him to continue the investigation and conceptualization work that he had undertaken in connection with the agenda item under consideration. For some years, moreover, the General Assembly had been requesting the Office of the United Nations High Commissioner for Human Rights to organize expert meetings in order to establish the study of contemporary mercenarism on solid theoretical foundations; it was important that those meetings should be held without delay. Both the above elements were included in the text of the resolution on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination which was submitted to the Third Committee every year. It was to be hoped that the Committee would, as usual, vote overwhelmingly in favour of the resolution.

29. **Mr. Duran** (Venezuela) said that his delegation continued to regard all discrimination based on race, religion, or national or ethnic origin as unlawful, while racial discrimination, xenophobia and other forms of intolerance were to be condemned. The Republic of Venezuela guaranteed everyone the enjoyment and the inalienable, indivisible and interdependent exercise of his or her human rights. The equality of all before the law had been given material expression in measures aimed at protecting persons or groups that were vulnerable, marginalized, or likely to become victims of discrimination. The Venezuelan people was the outcome of a fusion of genetic and cultural elements originating from the Americas, Europe and Africa, enriched by the contributions of immigrants from every part of the world, whose acceptance and integration were based on scrupulous respect for differences and beliefs, both individual and collective. The laws affording persons and groups protection from discriminatory measures of any kind were strictly enforced.

30. A number of national institutions for the defence and promotion of human rights had been established, with mandates focused primarily on the protection of the most vulnerable groups. All States should initiate educational programmes to inculcate respect for ethnic, racial and cultural diversity, as a means of combating racism, racial discrimination, xenophobia and intolerance more effectively.

31. His delegation attached great importance to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance that was to be held in 2001, and wished to thank the Government of South Africa for agreeing to host it. His delegation was participating actively in the preparatory work, and hoped the Conference would be successful. It also called on all Governments in a position to do so to support the voluntary contributions fund for the Conference, so that the least developed countries would be able to participate fully in the preparatory process.

32. With respect to agenda item 113, the Constitution of Venezuela recognized the right of all peoples freely to determine their political status, without foreign interference, and to pursue their economic, social and cultural development. Similarly, it expected other States to respect that right and the principle of territorial integrity.

33. *Mr. Alaie (Islamic Republic of Iran) (Vice-Chairperson) took the Chair.*

34. **Mr. Ahmad** (Pakistan) said that the right of peoples to self-determination was an inalienable right of all peoples and a prerequisite for the full enjoyment of all human rights. Its universal validity had been amply reflected in the more than threefold increase in the membership of the United Nations over the previous 55 years. More than three quarters of the people of the world had realized their freedom since 1945, and the United Nations had played a pivotal role in that phenomenon.

35. More recently, the people of East Timor had exercised their right to self-determination. The lead role played by the United Nations in resolving the problem had greatly added to the Organization's prestige. A former Permanent Representative of Pakistan to the United Nations, Ambassador Jamsheed Marker, had worked tirelessly as the Special Representative of the Secretary-General to promote the settlement in East Timor. His contribution was a matter of pride for the people of Pakistan.

36. The expectation that the Palestinian people, too, would soon realize their right to self-determination had received a serious setback with the outbreak of violence which had resulted in the loss of many lives. On behalf of the Government and the people of Pakistan, his delegation wished to extend its sincere condolences to the bereaved families.

37. The provocative visit to the Haram al-Sharif on 28 September 2000 and the tragic events that had followed had put the entire Middle East peace process in serious jeopardy. However, the understandings reached by the parties at the Sharm al-Sheikh Summit were encouraging. It was to be hoped that the beginning made in Sharm al-Sheikh would lead not only to resumption of the peace process, but also to a comprehensive settlement of the Palestine issue on the basis of the Palestinian people's right to self-determination.

38. Years of denial of the right of self-determination ultimately obliged peoples living under foreign and colonial occupation to undertake freedom struggles, as the history of the vast majority of the States Members of the United Nations attested. That was precisely what had been happening for the previous ten years and more in Indian-occupied Jammu and Kashmir.

39. In 1947, two newly independent States, Pakistan and India, had been born in South Asia on the basis of the right of peoples to self-determination. Ironically, the first decision which India had taken after its independence had been to occupy Jammu and Kashmir militarily, in

disregard of the aspirations of the people of that State. In successive resolutions, notably resolution 91 (1951), the Security Council of the United Nations had decided that "... the future of the State of Jammu and Kashmir shall be decided through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations."

40. Both India and Pakistan had given firm commitments for the implementation of Security Council resolutions. Regrettably, India had later reneged on its obligations under the Charter of the United Nations, and had proceeded illegally to annex occupied Jammu and Kashmir to the Indian Union.

41. Kashmir was currently occupied by more than 700,000 Indian military and paramilitary troops. The occupation forces had unleashed a relentless campaign of terror and repression to crush Kashmiris' resistance to India's illegal occupation of their State. Every day, dozens of young Kashmiris were killed in cold blood. There was hardly a family in occupied Kashmir that had not lost a son, brother or father at the hands of the Indian security forces. There was hardly a family in Indian-held Kashmir whose women had not been dishonoured or shamed.

42. The All Parties Hurriyet Conference, the sole representative voice of the Kashmiri people, had estimated that over the previous 11 years, more than 72,000 young Kashmiris had been killed in cold blood. Fake encounters, midnight searches, rapes, abductions, torture, custodial disappearances, summary and extrajudicial killings, humiliation and arbitrary detentions at the hands of the Indian security forces had become routine occurrences in occupied Jammu and Kashmir. Massacres of innocent civilians were committed through "renegade militants" only to malign the Kashmiri people's legitimate struggle for freedom. Their plight was a living example of how a State could use the instruments of power at its disposal to terrorize subjugated people. It was outright State terrorism.

43. Indian repression in occupied Jammu and Kashmir had crossed all bounds of civilized behaviour. Nevertheless, the people of Jammu and Kashmir remained steadfast in their resolve to achieve their inalienable right to self-determination. Pakistan would continue to extend them all possible political, moral and diplomatic support.

44. The Kashmir issue was one of the oldest on the agenda of the Security Council. It was imperative that the United Nations should take a more active role to find a just and durable solution in accordance with the wishes of the Kashmiri people, as it had recently done in the case of East Timor, and, earlier, in the case of Namibia. There could not be selectivity between regions and peoples when applying universal principles. The implementation of the relevant Security Council resolutions pledging the right of self-determination for the people of Kashmir would not only enhance the credibility of the United nations, but would also usher in an era of peace and prosperity in the South Asian region.

45. **Mr. Cordeiro** (Angola) said that his delegation aligned itself with the statements made by Nigeria and South Africa on behalf of the Group of 77 and China and the States Members of the Southern African Development Community, respectively. His delegation attached great importance to the issue of racism and racial discrimination, partly because Angola had suffered from discrimination for centuries. As a result of the conflict situation there, considerable numbers of Angolans were living in other countries, and many of them had reported that they had experienced discrimination. Despite laudable efforts in the host countries, much remained to be done to better protect the rights of the groups that were the main targets of racism and racial discrimination.

46. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance would be a significant opportunity to create a new world vision for the fight against any form of racism and racial discrimination in the twenty-first century. Reflecting areas of major concern, his delegation hoped that the Conference would impact the international vision of racial reconciliation, improved dialogue between minorities and majority groups, the education of all members of civil society, including the media and political decision-makers, and the implementation of new strategies and solutions needed to reduce racist acts in all areas.

47. All peoples still living under colonial and foreign domination had the right of self-determination, and consequently his delegation was pleased at the historic accomplishment that had given the people of East Timor success in exercising their right to self-determination. The recent violence in the Middle East was regrettable; it was to be hoped that the attempts toward peace made at Sharm al-Sheikh would promote a resumption of peace negotiations. His delegation continued to be optimistic regarding the resolution of the conflict in Western Sahara through the implementation of the United Nations peace plan. In contrast, the use of mercenaries to hinder the full realization of the right of peoples to self-determination and undermine the sovereignty of States was a source of

concern. In that connection, his delegation welcomed the report of the Special Rapporteur on the question of the use of mercenaries (A/55/334), supported the continuation of his mandate and pledged its full cooperation.

48. **Ms. Barghouti** (Observer for Palestine) said that, most regrettably, the hope and expectation that the people of Palestine would finally be able to exercise its fundamental, inalienable right to self-determination had been dashed once more. Yet only recently, on 8 September 2000, world leaders had adopted the United Nations Millennium Declaration, in which they had reaffirmed their dedication to the resolution of disputes by peaceful means in conformity with the principles of justice and international law, and had reaffirmed the right to self-determination of peoples which remained under colonial domination and foreign occupation.

49. The right of the Palestinian people to self-determination had been on the agenda of the United Nations for a long time. Since 1949, the General Assembly had adopted many resolution on the question of Palestine, including the right of the Palestinians to self-determination. Recently, furthermore, it had taken a more positive step by linking that right to the Palestinian people's right to establish an independent State. In doing so, it had reaffirmed the position of the international community, which held that the realization of the inalienable rights of the Palestinian people was necessary to enable it to determine its political and national destiny, free from oppression.

50. Her delegation emphasized that the national rights of the Palestinian people must be recognized, including, first and foremost, the right to self-determination and the legitimate right to establish an independent State with Jerusalem as its capital. At the current critical period, serious action was required towards the realization of that objective.

51. Israel was still pursuing its oppressive policies and practices, and continuing to create new facts on the ground in order to strengthen, instead of ending, its subjugation and occupation, by building and expanding settlements, sealing off areas in the occupied territory and confiscating Palestinian land. On top of that, new acts of violence were being committed by the Israeli army, which since 28 September 2000 had been waging a campaign of aggression against the Palestinian people that had resulted in more than 100 killings and more than 3000 injuries.

52. In 1999, at the fifty-fourth session, her delegation had expressed the hope that the peace process would soon culminate in a peace treaty between the State of Palestine and Israel, resulting in a just and lasting peace in the entire region. Unfortunately, the situation had deteriorated considerably since that time. The indiscriminate and excessive use of force, the killing of Palestinian civilians and the dehumanization of the Palestinian population were measures that threatened not only regional peace and stability, but the foundations of the peace process itself. It was obvious that Israel was using the peace process to continue its occupation.

53. Her delegation remained committed to the peace process and to the implementation of all signed agreements. Israel must realize that after more than half a century of suffering and injustice, the Palestinian people would not accept anything less than full recognition and respect of their legitimate rights.

54. **Ms. Olea** (Congo) said that her delegation welcomed the report of the Special Rapporteur on the question of the use of mercenaries (A/55/334). Paragraph 29 of the report, in the chapter on Africa, referred to the situation in the Congo, which was beginning to show some signs of hope, after more than two years of armed conflict. After so many wars, the Congo had to re-establish its unity, and peace and the rebuilding of the democratic process were on the Government's list of priorities and matters for urgent attention. Peace had been restored, but the task of peace-building remained, and to that end it was essential for illegally held weapons to be collected and former combatants reintegrated into economic and social life.

55. The official end to the hostilities had come with the signing of two formal agreements late in 1999, and the establishment of a Committee whose function was to enforce those agreements, under the auspices of an international mediator. Subsequently, displaced persons had returned to their homes en masse, life in areas devastated by armed bands had resumed, many voluntary exiles had returned to the Congo, weapons had been and were being collected, and an electoral calendar had been set, marking a return to democracy. A comprehensive nation-wide debate on the preliminary draft Constitution would soon be organized, and general elections would follow shortly thereafter.

56. The Special Rapporteur on the question of the use of mercenaries had suggested that an international investigation should be conducted, but it was unclear what purpose would be served by such an investigation. At a time when the Government of the Congo was seeking to

bring to justice those who had shed innocent blood and committed violations of human rights, determined as it was to adopt no measures that would amount to rewarding aggression or granting impunity, it had been asked to give priority to measures conducive to the promotion of national reconciliation and peace, and it had had to grant amnesty to all those who laid down their arms. Was the proposed investigation to be conducted for the sake of truth and collective memory? If so, the investigation should not be restricted to the most recent conflict, but should cover the entire period since 1993, when the first war crime had been committed.

57. Her delegation doubted whether it was in any way necessary, useful or timely for the Special Rapporteur to continue his work in respect of the Congo, inasmuch as there was no mercenary activity there, nor, indeed, any mercenaries. In view of the fact that, as the Special Rapporteur had noted, the situation in the Congo was moving in a positive direction, her delegation preferred to request the United Nations to revise the security designation downward from level III to level II, both in Brazzaville and in Pointe-Noire. Her delegation took the opportunity to call upon the international community to support the peace-building effort in the Congo.

58. **Mr. Ogurtsov** (Belarus) said that the General Assembly, in its resolution 54/153 of 17 December 1999, had condemned all forms of racism and racial discrimination, including propaganda, activities and organizations based on doctrines of superiority of one race or group of persons, or seeking to institute and disseminate any form of discrimination.

59. As other delegations had pointed out, there was no such thing as a country that was immune from racism and racial discrimination. Racism and racial discrimination were an evil that did not disappear of itself, but assumed new forms and, permeating everyday life, tended to become commonplace. Accordingly, his delegation found it alarming that xenophobic and racist violence was on the rise in many parts of the world, and that the numbers of organizations and groups based on racist and xenophobic ideologies were increasing. Such groups and organizations took advantage of the fruits of democracy, notably print and electronic media and new communication technologies such as the Internet, to incite violence motivated by racial hatred.

60. His delegation noted with satisfaction the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism (A/55/304), and shared his concern at the resurgence of racism, racial discrimination, xenophobia and anti-Semitism, which had been on the decline since 1997. No one could fail to be alarmed upon reading, in the document in question, that far-right organizations, neo-Nazis and skinheads were engaging, on a growing scale, in violent actions such as attacks on foreigners and people of colour and the desecration of cemeteries and monuments. Such a situation called for vigorous measures on the part of the international community. The disturbing facts reported by the Special Rapporteur and an analysis of the content of the general debate clearly showed the critical importance of a draft resolution on measures against neo-Nazism and other ideologies or practices based on racial or ethnic intolerance, hatred and terror. In view of the importance and nature of the questions addressed in the draft resolution, his delegation hoped that Member States would participate constructively in the debate on the draft resolution and would vote to adopt it.

61. There was no point in wasting time on assuring each other that racism and racial discrimination were evils. The objective of the international community was to formulate immediate measures against all forms of violations of human rights. To that end, his delegation placed great hopes in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which was to be held in 2001. The work and recommendations of the Preparatory Committee afforded some grounds for optimism. It was important not to miss such an opportunity of establishing an effective mechanism for preventing racism in all its forms and manifestations.

62. **Mr. Ahmed** (Bangladesh) said that at the dawn of the new century, when humankind was striving for a better world by working to eliminate hunger, eradicate disease, fight malnutrition and poverty, and create a fulfilling future for all, its efforts were thwarted by persistent hatred, intolerance and discrimination. In the century just past, the progress of humanity had been undermined by war, endemic violence and social strife, and the worst forms of intolerance had resulted in genocide.

63. In his report on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/55/304), the Special Rapporteur of the Commission on Human Rights had noted the rise in violent acts and ideologies which challenged the fundamental values of human rights. Racism, as the Chair of the Group of 77 had said, was an affront to the guiding principles of the United

Nations. It was persisting in new and subtle forms which were often directed toward groups that were vulnerable or different, such as migrants, ethnic and religious minorities, refugees and asylum seekers. Not only new communication technologies, notably the internet, but also traditional communication media were being used as vehicles of racist propaganda, and consequently it was essential to develop appropriate control mechanisms to address the problem. His delegation was looking forward to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held in South Africa in 2001, in the hope that it would be able to take a comprehensive approach to the eradication of all forms of intolerance and renew the fight against racism and racial discrimination. It was through education that the human mind would be freed of intolerance and hatred, which fed on doubts about the other and fear of the unknown. It was for parents, teachers, community and religious leaders and journalists to teach every child to respect diversity and resolve difference through dialogue. In that connection, it was important to promote a culture of peace world-wide through the involvement of all actors.

64. Bangladesh, as a country that had had to fight a war of liberation, set a high value on the right of self-determination. Speaking before the General Assembly in 1974, shortly after the admission of Bangladesh as a Member of the United Nations, the man revered as the father of the new nation had declared that history was on the side of the people, and that justice ultimately triumphed. Much progress had been made since then, but the report of the Secretary-General on the right of peoples to self-determination (A/55/176) made it clear that the task was by no means finished as yet. At its fifty-fourth session, the General Assembly had reaffirmed the right of the Palestinian people to self-determination and had expressed the hope that that right would soon be exercised. But the recent developments were a source of great concern. The cycle of violence must be stopped. His delegation welcomed the agreement reached at the Sharm al-Sheikh meeting, and hoped that a just, lasting and comprehensive peace would be established where the legitimate right of the Palestinian people could be fulfilled.

65. **Mr. Salman** (Iraq) said that while the United Nations had creditably opposed the apartheid regime, the international community was still confronted with the serious problem of racism and racial discrimination in new forms that were based on culture, nationalism, religion or race and were frequently directed against vulnerable groups such as immigrant workers, refugees or religious minorities. Differences between groups were not regarded as a source of cultural enrichment and complementarity, but rather tended to produce a response of rejection, discrimination and marginalization, especially in the developed countries, which were experiencing a rise in new forms of racism related to the growth of racist and neo-Nazi groups. It was especially alarming that anti-Muslim and anti-Arab racist propaganda and hate material were being disseminated by some media sources. In the United States of America and the United Kingdom of Great Britain and Northern Ireland, in particular, Jewish organizations were using the Internet for that purpose, as the Secretary-General had stated in his note entitled "Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance". The note in question gave the names of anti-Arab Web sites, most of which were maintained by Jewish organizations, including the Jewish Defence League, Kahane Homepage (named after Rabbi Kahane), The Twelve Tribes of Israel, Nations of Islam and Blacks and Jews Newspage.

66. His delegation welcomed the prospective World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance which was to be held in South Africa in 2001. It was in favour of an international initiative aimed at setting rules of behaviour for the use of the Internet, provided it was conducted under the auspices of the International Telecommunication Union.

67. Iraq, as a society comprising a number of communities and religions, combated racism and racial discrimination in a cultural and human context based on the ancient cultural heritage of Mesopotamia and the Islamic Shariah. The Code of Hammurabi, which dated from 1700 BC, had been the first code of law that aimed at protecting human rights, while equality between individuals and the elimination of discrimination were enshrined in the Shariah.

68. Iraq's accession, in 1970, to the International Convention on the Elimination of All Forms of Racial Discrimination had been accompanied by the adoption of a number of legislative and constitutional measures aimed at combating racism, notably with a view to reaffirming the rights of the Kurdish ethnic group and other minorities within the framework of Iraq's territorial unity and unity as a people. The autonomy that had been granted to the Kurds in northern Iraq constituted a pioneering initiative,

and their situation was markedly better than that of Kurds in neighbouring States, as the Committee on the Elimination of Racial Discrimination had acknowledged in its concluding remarks on Iraq's fourteenth periodic report. The Committee had complimented Iraq, not only on the autonomous status that it had granted to Iraqi Kurds, but also on its laws and statutory instruments aimed at protecting the cultural identity of the country's Turkoman and Syriac-speaking minorities. In Iraq, the effort to eliminate racism and racial discrimination was indissociable from the struggle against colonialism and hegemony in all forms, which, like the use of force in international relations, constituted a serious violation of the provisions of the Convention and adversely affected its implementation. Iraq's sovereignty and territorial integrity were currently being violated, and it was unable to exercise self-determination in accordance with the principles of international law, because the United States of America and the United Kingdom had been enforcing no-fly zones over the north and south of the country since 1992, on the basis of a unilateral decision with no legal or statutory justification of any kind. In so doing, the two States in question were seeking to divide the nation of Iraq by intervening militarily in the north and using illegal militias to administer the Autonomous Region in that part of the country. The practice was a dangerous one that was likely to foster racism and discrimination, and it was also at variance with Article 4 of the International Convention on the Elimination of All Forms of Racism and Racial Discrimination.

69. The Committee on the Elimination of Racial Discrimination had expressed its concern at the economic and social difficulties that Iraq was experiencing as a result of the economic sanctions and foreign military intervention, which were having a severe adverse impact on the people and had destroyed the country's infrastructure, thereby impeding the implementation of human-rights instruments, notably those relating to the elimination of racial discrimination. The Committee had also stated that the central Government's absence from the northern Governorates, where there were many Kurdish, Turkoman and Syriac-speaking communities, and conflict between the various Kurdish tribes had also made it difficult for Iraq to implement the Convention.

70. His delegation asked the international community to rectify Iraq's anomalous situation and allow it to regain sovereignty over its territory in the Autonomous Region in the north and in the southern part of the country by ending the sanctions regime, which had been criticized, not only by the Committee for the Elimination of Racial Discrimination, but also by the Secretary-General of the United Nations, in March 2000.

71. **Ms. Krichene** (Tunisia) said that at the dawn of the new millennium, the international community cherished the hope that peace and fraternity would be established among the world's peoples. It was time for peoples still suffering under the yoke of colonialism to attain emancipation and exercise, at last, their right to self-determination. The United Nations had contributed substantially to the task of promoting the right of peoples to self-determination, but the Organization's mission in that connection would be complete only when all the peoples of the world that were still subject to foreign domination had won their freedom. The Palestinian people had recently been targeted in attacks that had blindly struck down children and women, in total disregard of the most elementary humanitarian principles. It was essential for the provisions of the relevant international agreements, notably the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, to be duly applied. Her delegation hoped that the agreement reached at Sharm al-Sheikh would lead to the resumption of negotiations between the parties on the basis of the relevant Security Council resolutions, including, in particular, resolutions 242 (1967) and 338 (1973), and the principle of the return of land in exchange for peace, until the legitimate aspirations of the Palestinian people had been fully realized, especially with respect to the establishment of an independent Palestinian State on its national territory with Jerusalem as its capital.

72. Racism, racial discrimination and xenophobia continued to rage throughout the world, in Africa as elsewhere. In recent years, some parts of the continent had been torn by ethnic violence which had compelled entire peoples to seek refuge in neighbouring countries. The way to eliminate all such evils was to bring about the economic and social development of Africa.

73. It was gratifying that the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance was to be held in South Africa, a country that had suffered so terribly as a result of apartheid and discrimination. The report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/55/304) showed that more vigorous action against racism was required, especially in view of the resurgence of racism related to the renewed activities of far-right and neo-Nazi organizations. The report also

noted that racist propaganda on the Internet was increasing alarmingly. Her delegation was particularly concerned at the danger represented by the rise of racist ideologies that promoted hatred against foreigners, attacked ethnic, national or religious minorities and advocated racial purity. Such ideologies were frequently characterized by simplistic arguments based on national preference and were sometimes prompted by electoral considerations. Emigrants who had settled legally in their adoptive country were targeted by extremists.

74. **Mr. Moret** (France), speaking on behalf of the States Members of the European Union, noted that, with reference to agenda item 113, the right of peoples to self-determination was enshrined, in identical wording, in Article 1 of both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. It thus occupied a symbolic place in two great international instruments devoted to rights proclaimed in the Universal Declaration of Human Rights. It was by virtue of the right of self-determination that peoples freely determined their political status and freely pursued their economic, social and cultural development. Furthermore, it was as relevant as ever, for the aspiration of peoples to be masters in their own house continued to be a powerful driving force in international relations and the democratic renewal of States. The formation and building of new States and the establishment of new constitutional structures in the course of the decade just past amply demonstrated that all peoples yearned to order their history. The community gathered together within the United Nations was the consequence and outcome of that manifestation of the will of peoples. Accordingly, it was essential for relations among the countries making up that community to be organized around respect for the principle in question and concern for shared interests and cooperation.

75. It was also by virtue of the right of self-determination that peoples disposed freely of their wealth and natural resources. Under no circumstances could a people be deprived of its means of subsistence. That was one of the fundamental principles of the International Covenant on Economic, Social and Cultural Rights, and the international community should mobilize to translate that principle into practice. It was essential for those resources to benefit those who had them, and thereby to contribute to their harmonious economic and social development.

76. The right of peoples to self-determination would, however, be meaningless unless it were possible for the individuals making up those peoples to express their will in accordance with their convictions and opinions, and in the full enjoyment of freedom of conscience and freedom of religion. That right would be as nothing if they could not associate and exchange views, in particular through the medium of a free press. Lastly, that right would amount to little in the absence of stable democratic institutions and the opportunity for every individual to take part in free elections held at regular intervals.

77. The right of self-determination was a fundamental right. It incorporated in exemplary fashion the principles of the indivisibility and interdependence of human rights, which had been reaffirmed at the World Conference on Human Rights in Vienna. The European Union wished to reaffirm its commitment to the right of self-determination, which it regarded as an integral part of every individual's fundamental rights.

78. **Mr. Wyatt** (European Community) said that, in the framework of preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, a conference had recently been held in Strasbourg, with active participation by civil society. On that occasion, the Commissioner for Human Rights of the Council of Europe had stated, "With racism and intolerance gaining ground, this is no time for resignation, but a time for determination and action."

79. The European Union was currently developing initiatives to halt the rise of extremist and racist organizations, and it was vital that political leaders should continue to make it clear that society would not tolerate racism, xenophobia or any forms of discrimination, and that effective measures to root them out were being taken. International cooperation to that end was essential, and, accordingly, in 1997 the European Union had set up a monitoring centre in Vienna to report on levels of racism across the Union and highlight good practices to combat it. It did so through research, through regular expert meetings and through the RAXEN, the new European information network. It helped the Community to identify the victims of racism and the barriers to successful integration that they faced, and to measure the success of the various policies deployed to help them. The Centre's work would be of great value as the Community pushed ahead with practical action. Progress in some areas had been remarkably fast, highlighting the European Union's determination to act and the strong political consensus on the issue. The Council had unanimously adopted a directive prohibiting racial discrimination in the areas of employment, education, social security, health care,

access to goods and services and housing, and ensuring that victims of discrimination would have effective rights of redress. The new legislation would reinforce the Union's fundamental values of liberty, democracy and the rule of law. The directive also required Member States to designate a body for the promotion of equal treatment which would provide assistance to victims of discrimination in pursuing complaints. Ensuring common standards of protection across Europe had also been the chief objective of the Council's Joint Action on Police and Judicial Cooperation in 1996. The aim of the Joint Action had been to strengthen cooperation between Member States and prevent perpetrators of racist violence from exploiting differences in legislation within the Union. A report on implementation of the Joint Action was due for the end of the year, and the Community would use its findings to assess the need for other such measures covering, for example, the use of the Internet for racist activities.

80. It was essential for the police and judiciary to implement changes in the law effectively, to treat racially motivated crime seriously and to eradicate racism from their own ranks. The Community provided funds for training and exchange programmes aimed at achieving those objectives.

81. On 17 October 2000, the Council had agreed to establish a six-year programme of action with three objectives: to study the prevalence of discrimination in the Union and the effectiveness of methods used to combat it; to support cooperation between Governments, non-governmental organizations, local and regional authorities, research institutes and social partners; and to disseminate the results of the programme to key people throughout the Community. It was also important to ensure that other policies contributed to the fight against racism and discrimination, especially discrimination against women. The current fifth research framework programme included a study of xenophobia, racism and migration in Europe. Funding for awareness campaigns was available through education and training programmes.

82. With respect to employment, Member States were required to dismantle barriers that restricted access to employment, education and training for minorities. The Community had launched a new initiative which would provide around €3 billion over six years for projects to promote equality in the labour market.

83. With respect to immigration and asylum policy, the European Council had stressed the need for a more vigorous integration policy; nationals of other States should be granted rights and obligations comparable to those of citizens of States Members of the European Union. A Refugee Fund had been established, and the Community was considering draft Directives on the right to family unification, temporary protection of displaced persons, and minimum standards for procedures for granting and withdrawing refugee status.

84. The European Union aimed to help other countries that were seeking to become members by allowing them to participate in the action programme against discrimination. Under the European Initiative for Democracy and Human Rights, non-governmental organizations in central and eastern Europe and newly independent States were eligible for support for the strengthening of civil society, combating racism and promoting tolerance.

85. In 1999, the second phase of a joint programme between the European Commission and the Council of Europe on the promotion of the rights of national minorities in central and eastern Europe had been launched.

86. The European Community was looking forward to participating in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which it hoped would be as inclusive as possible. In the meantime, it was contributing to the preparatory events and providing generous funding for the participation of non-governmental organizations.

87. **Ms. Nacro** (United Nations Population Fund (UNPFA)) said that the Programme of Action adopted by the International Conference on Population and Development (ICPD) had marked the beginning of a new era in the international community's commitment to raise the quality of life and improve the welfare of human beings. The Programme of Action recognized that the problems faced by indigenous peoples in such areas as human rights, the environment and health were directly related to the purpose of the ICPD. The Programme of Action was also aimed at ensuring the protection of migrants against racism, ethnocentrism and xenophobia. The need to promote the rights of indigenous peoples and to protect migrants, refugees and internally displaced persons had again been stressed at the five-year review of ICPD.

88. At the Millennium Summit, world leaders had agreed "to take measures to eliminate the increasing acts of racism and xenophobia in many societies, and to

promote greater harmony and tolerance in all societies." UNPFA, for its part, was fully committed to the goals of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and had been participating in the preparatory activities. It was being represented by its country offices at the regional expert meetings organized around key themes that would be addressed at the Conference. It had also fully participated in the International Day of the World's Indigenous People on 9 August 2000, and in the preparatory consultation for the Conference that had been held the following day. That consultation had resulted in a draft declaration by indigenous people which would be discussed at the Conference.

89. In addition, UNFPA had been providing reports to the Office of the High Commissioner for Human Rights on its programmes and activities that addressed the issue of racial discrimination. In Latin America, for example, UNFPA had been providing culturally sensitive reproductive health information for indigenous and marginalized people, refugees and internally displaced persons. In 2001, UNFPA was planning to hold an International Round Table on Indigenous Peoples and Reproductive Health and Gender. In collecting accurate information on the reproductive health status of indigenous peoples and building partnerships with them for the development of programmes that would better respond to their needs, UNFPA would be contributing to the work of the World Conference on Racism. UNFPA would also continue to participate in future preparatory meetings and consult with its partners.

The meeting rose at 12.40 p.m.